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13 Special Litigation Counsel for Official Committee of
14 Unsecured Creditors of USA Commercial Mortgage Company

7 **UNITED STATES BANKRUPTCY COURT**
8 **DISTRICT OF NEVADA**

9 In re:
10 USA COMMERCIAL MORTGAGE COMPANY,
11 Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

12 In re:
13 USA CAPITAL REALTY ADVISORS, LLC,
14 Debtor.

JOINTLY ADMINISTERED
Chapter 11 Cases

15 In re:
16 USA CAPITAL DIVERSIFIED TRUST DEED
17 FUND, LLC,

Judge Linda B. Riegle Presiding

18 Debtor.

19 In re:
20 USA CAPITAL FIRST TRUST DEED FUND,
21 LLC,

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE IN THIS
CASE ONLY BY ATTORNEY NOT
ADMITTED TO THE BAR OF THIS
COURT**

22 Debtor.

**EFFECTIVE JUNE 1, 2004 FILING FEE
IS \$175.00**

23 In re:
24 USA SECURITIES, LLC,

Debtor.

Affects:

25 All Debtors
26 USA Commercial Mortgage Company
27 USA Capital Realty Advisors, LLC
28 USA Capital Diversified Trust Deed Fund, LLC
29 USA Capital First Trust Deed Fund, LLC
30 USA Securities, LLC

31 Allan B. Diamond, Petitioner, respectfully represents to the Court:

32 1. That Petitioner resides at 3 Derham Parc, Houston, Texas 77024.

1 2. That Petitioner is an attorney at law and a member of the law firm of
 2 Diamond McCarthy, LLP, with offices at 909 Fannin Street, Suite 1500, Houston, TX
 3 (713) 333-5100; 1201 Elm Street, 34th Floor, Dallas, TX 75270, (214) 389-5300; and 6504
 4 Bridgepoint Parkway, Suite 400, Austin, TX 78730, (512) 617-5200.

5 3. That Petitioner has been retained personally or as a member of the law firm
 6 by the Official Committee of Unsecured Creditors ("Creditors Committee") to serve as
 7 special litigation counsel to the Creditors Committee and, following the effective date of
 8 the Plan of Reorganization (the "Plan"), to the USACM Trust, as defined in the Plan.

9 4. That since November 1979, Petitioner has been and presently is a member in
 10 good standing of the bar of the highest court of the State of Texas where Petitioner
 11 regularly practices law.

12 5. That Petitioner was admitted to practice before the following United States
 13 District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United
 14 States and Courts of other States on the dates indicated for each, and that Petitioner is
 15 presently a member in good standing of the bars of said Courts.

<u>Court</u>	<u>Date Admitted</u>
U.S. Supreme Court	1986
U.S. Court of Appeals, 5 th Circuit	1979
U.S. Court of Appeals, 7 th Circuit	2006
U.S. Court of Appeals, 11 th Circuit	1981
U.S. Court of Appeals, 10 th Circuit	1989
U.S. Court of Appeals, 9 th Circuit	2004
U.S. District Court, Northern District of Texas	1979
U.S. District Court, Northern District of Georgia	1979
U.S. District Court, Southern District of Texas	1983
U.S. District Court, Eastern District of Texas	1980
U.S. District Court, Western District of Texas	1982
U.S. District Court, Western District of Oklahoma	1984

1	U.S. District Court – Southern District of	1999
2	Florida	
3	U.S. District Court – Southern District of New	2005
4	York	
5	State Bar of Georgia	1979
6	California Court of Appeals – San Francisco	2001
7	California Superior Court of San Francisco	2000
8	California Superior Court of Los Angeles	2002
9	California Superior Court of Stanislaus	2002
10	California Superior Court of Fresno	2000
11	California Superior Court of Contra Costa	1999

10 6. That there are or have been no disciplinary proceedings instituted against
 11 petitioner, nor any suspension of any license, certificate or privilege to appear before any
 12 judicial, regulatory or administrative body, or any resignation or termination in order to
 13 avoid disciplinary or disbarment proceedings, except as described in detail below: None.

14 7. That Petitioner has never been denied admission to the State Bar of Nevada.

15 8. That Petitioner is a member of good standing in the following Bar
 16 Associations:

17 State Bar of Texas

18 State Bar of Georgia (inactive)

19 American Bar Association

20 9. Petitioner or any member of Petitioner's firm (or office if firm has offices in
 21 more than one city) with which Petitioner is associated has/have filed application(s) to
 22 appear as counsel under Local Rule IA 10-2 during the past three (3) years in the
 23 following matters:

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<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
Eric D. Madden (12/06/05)	Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299)	USDC	Granted (12/29/05)
James D. McCarthy (12/06/05)	Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299)	USDC	Granted (12/21/05)
Allan B. Diamond (12/06/05)	Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299)	USDC	Granted (12/21/05)
Walter J. Scott (12/06/05)	Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299)	USDC	Granted (01/11/06)
Allan B. Diamond (2002)	Schnelling v. Budd, <i>et al.</i> (Adv. No. 02- 1025; Bankr. No. BK-S-00-10533- LBR)	USBC	Granted
Arley D. Finley, III (2002)	Schnelling v. Budd, <i>et al.</i> ; (Adv. No. 02- 1025; Bankr. No. BK-S-00-10533- LBR)	USBC	Granted
Eric D. Madden (2002)	Schnelling v. Budd, <i>et al.</i> ; (Adv. No. 02- 1025; Bankr. No. BK-S-00-10533- LBR)	USBC	Granted
Erin E. Jones (2002)	Agribiotech, Inc., <i>et al.</i> ; (Bankr. No. BK- S-00-10533-LBR)	USBC	Granted

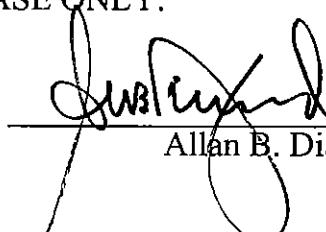
10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of
the State of Nevada with respect to the law of this state governing the conduct of attorneys
to the same extent as a member of the State Bar of Nevada.

1 11. Petitioner agrees to comply with the standards of professional conduct
2 required of the members of the bar of this court.

3 12. Petitioner has disclosed in writing to the client that the applicant is not
4 admitted to practice in this jurisdiction and that the client has consented to such
5 representation.

6 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court
7 FOR THE PURPOSES OF THIS CASE ONLY.

8 DATED: 1/29/07

9 
10 Allan B. Diamond, Petitioner

11 **VERIFICATION**

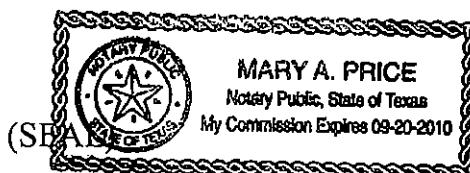
12 STATE OF TEXAS)

13)

14 COUNTY OF HARRIS)

15 Allan B. Diamond, Petitioner, being first duly sworn, deposes and says:

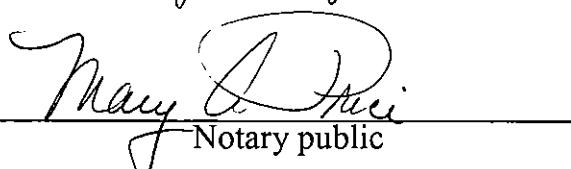
16 That the foregoing statements are true.



22 Allan B. Diamond, Petitioner

23 Subscribed and sworn to before me this

24 29th day of January, 2007.

25 
26 Notary public